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TOWNSEND and TOWNSEND and CREW LLP

By: /Megan McCoy/
Megan McCoy

PATENT
Docket No.: 082368-007500US
Client Ref. No.: ONC-A0306P2-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yusuke NAKAMURA et al.

Patent No.: 7,531,300

Issued: May 12, 2009

Application No.: 10/573,297

For: METHOD OF DIAGNOSING BREAST CANCER

Customer No.: 20350

Confirmation No.: 6847

Examiner: Aeder, Sean E.

Art Unit: 1642

REQUEST FOR CERTIFICATE OF CORRECTION UNDER §1.323 and §1.322

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Pursuant to 37 CFR §1.323 Applicant submits a Certificate of Correction correcting minor errors which includes an error inadvertently left uncorrected by Applicant. Specifically, the request under §1.323 is related to the face page of the above-referenced U.S. Patent as described on enclosed form PTO/SB/44.

Pursuant to 37 CFR §1.322 Applicant submits a Certificate of Correction correcting errors within the specification and Sequence Listing attributable solely to the Office. The desired corrections are set described on enclosed form PTO/SB/44 and is accompanied by an Amendment of May 7, 2008 and a Patent Office document dated April 8, 2009 indicating acceptance of the substitute Sequence Listing filed November 13, 2008.

Please deduct the fee, pursuant to 37 CFR §1.20(a), of $100.00 from Deposit Account 20-1430 and any additional fees associated with this Certificate request.

Respectfully submitted,

Carol Johns

Carol P. Johns
Reg. No. 50,463

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San Francisco, California 94111-3834
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62219538 v1

Amendments to the Specification:

page 31, line 31

Please replace paragraph [0136] of U.S. Patent Publ. No. 20070269432 with the following amended paragraph:

-- The region [A] hybridizes to [A'], and then a loop consisting of region [B] is formed. The loop sequence may be preferably 3 to 23 nucleotide in length. The loop sequence, for example, can be selected from group consisting of following sequences (~~http://www.~~ at ambion.com/techlib/tb/tb_506.html). Furthermore, loop sequence consisting of 23 nucleotides also provides active siRNA (Jacque, J.-M., Triques, K., and Stevenson, M. (2002) Modulation of HIV-1 replication by RNA interference. Nature 418: 435-438.).--

Page 32, line 24

Please replace paragraph [0142] with the following amended paragraph:

-- The nucleotide sequence of suitable siRNAs can be designed using an siRNA design computer program available from the Ambion website (~~http://www.~~ at ambion.com/techlib/misc/siRNA_finder.html). The computer program selects nucleotide sequences for siRNA synthesis based on the following protocol.--

Page 33, line 4

Please replace paragraph [0144] with the following amended paragraph:

-- 2. Compare the potential target sites to the human genome database and eliminate from consideration any target sequences with significant homology to other coding sequences. The homology search can be performed using BLAST, which can be found on the NCBI server at: ~~www.~~ncbi.nlm.nih.gov/BLAST/.

Page 46, line 16

Please replace paragraph [0197] with the following amended paragraph:

An unsupervised hierarchical clustering method was applied to both genes and tumors. To obtain reproducible clusters for classification of the 102 samples, 710 genes for which valid data were obtained in 80% of the experiments, and whose expression ratios varied by standard deviations

RAW SEQUENCE LISTING

Loaded by SCORE, no errors detected.

Application Serial Number: **10573297**
Source: OIPE
Date Processed by SCORE: **4/8/2009**

ENTERED

identical to
that filed 11/18/2008

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Katagiri, Toyomasa
Nakatsuru, Shuichi

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VS 2006-3-22

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forward primer

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 7,531,300

APPLICATION NO.: 10/573,297

ISSUE DATE : May 12, 2009

INVENTOR(S) : NAKAMURA et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the face page:

In the Assignee data (73): Kawasaki-shi should read – Kanagawa –

In the Inventor data (75): Yokohama should read – Tokyo –
Shinagawa-ku should read – Tokyo –

In the Specification:

At column 23, beginning at line 18, (http://www.ambion.com/techlib/misc/siRNA_finder.html) should read – (at ambion.com/techlib/misc/siRNA_finder.html) –

In the Sequence Listing

Please delete the SEQUENCE LISTING and replace it with the attached SEQUENCE LISTING.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

TOWNSEND AND TOWNSEND AND CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834

62219333 v1

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Katagiri, Toyomasa
Nakatsuru, Shuichi

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65 70 75 80

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<223> T-LAK cell-originated protein kinase (TOPK), spermatogenesis-related protein kinase (SPK), PDZ binding kinase (PBK), Nori-3, FLJ14385, A7870, BRC No. 456

<220>
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<223> T-LAK cell-originated protein kinase (TOPK)

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tatcgaagtg tgtatcaaaa gagactaatg gatgaagcta agattttgaa aagccttcat 480
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gctatggaat atggaggtga aaagtctcta aatgacttaa tagaagaacg atataaagcc 600
agccaagatc cttttccagc agccataatt ttaaaagttg ctttgaatat ggcaagaggg 660
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<212> PRT
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<220>
<223> T-LAK cell-originated protein kinase (TOPK),
      spermatogenesis-related protein kinase (SPK), PDZ
      binding kinase (PBK), Nori-3, FLJ14385, A7870, BRC
      No. 456

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Pro Phe Met Gln Lys Leu Gly Phe Gly Thr Gly Val Asn Val Tyr Leu
        35                  40                  45
Met Lys Arg Ser Pro Arg Gly Leu Ser His Ser Pro Trp Ala Val Lys
    50                  55                  60
Lys Ile Asn Pro Ile Cys Asn Asp His Tyr Arg Ser Val Tyr Gln Lys
65                  70                  75                  80
Arg Leu Met Asp Glu Ala Lys Ile Leu Lys Ser Leu His His Pro Asn
                85                  90                  95
Ile Val Gly Tyr Arg Ala Phe Thr Glu Ala Asn Asp Gly Ser Leu Cys
            100                 105                 110
Leu Ala Met Glu Tyr Gly Gly Glu Lys Ser Leu Asn Asp Leu Ile Glu
        115                 120                 125
Glu Arg Tyr Lys Ala Ser Gln Asp Pro Phe Pro Ala Ala Ile Ile Leu
    130                 135                 140
Lys Val Ala Leu Asn Met Ala Arg Gly Leu Lys Tyr Leu His Gln Glu
145                 150                 155                 160
Lys Lys Leu Leu His Gly Asp Ile Lys Ser Ser Asn Val Val Ile Lys
                165                 170                 175
Gly Asp Phe Glu Thr Ile Lys Ile Cys Asp Val Gly Val Ser Leu Pro
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Leu Asp Glu Asn Met Thr Val Thr Asp Pro Glu Ala Cys Tyr Ile Gly
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Met Thr Leu Ser Ile Pro His Ile Asn Leu Ser Asn Asp Asp Asp Asp
                245                 250                 255
Glu Asp Lys Thr Phe Asp Glu Ser Asp Phe Asp Asp Glu Ala Tyr Tyr
            260                 265                 270
Ala Ala Leu Gly Thr Arg Pro Pro Ile Asn Met Glu Glu Leu Asp Glu
        275                 280                 285
Ser Tyr Gln Lys Val Ile Glu Leu Phe Ser Val Cys Thr Asn Glu Asp
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Pro Lys Asp Arg Pro Ser Ala Ala His Ile Val Glu Ala Leu Glu Thr
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Asp Val
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<212> PRT
<213> Artificial Sequence

<220>
<223> endoplasmic reticulum retention sequence

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